

## Message Text

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PAGE 01 STATE 048295

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ORIGIN L-03

INFO OCT-01 ARA-06 ISO-00 JUSE-00 AID-05 CPR-01 OPR-02

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DRAFTED BY L/M:HFSHAMWELL:MFM

APPROVED BY L/M:HFSHAMWELL

ARA - MR. NORTON

L/M - MR. BURMAN

JUSTICE - MR. RISTAU (INFO)

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O 272317Z PEB 76

FM SECSTATE WASHDC

TO AMEMBASSY GEORGETOWN IMMEDIATE

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E.O. 11652: N/A

TAGS: ASCH, PDIP, GY

SUBJECT: CIVIL SUIT AGAINST CHAIRMAN OF SCHOOL BOARD

REF: GEORGETOWN 361

1. REFTEL REPORTED SUIT BY FORMER LOCAL EMPLOYEE OF GEORGETOWN AMERICAN SCHOOL AGAINST CHAIRMAN OF SCHOOL BOARD, MRS. MARY MUDGE, WHO IS ALSO WIFE OF AID DIRECTOR. BASIS OF SUIT IS CLAIM FOR COMPENSATION FOR SERVICES AS WATCHMAN. EMBASSY CITED FACT THAT AID DIRECTOR CARRIES DIPLOMATIC ID CARD (ALTHOUGH HE IS OFFICIALLY LISTED ON GOG DIPLOMATIC LIST AS "REPRESENTATIVE OF INTERNATIONAL ORGANIZATION") AS BASIS OF ITS STATED INTENTION TO PLEAD DIPLOMATIC IMMUNITY ON BEHALF OF MRS. MUDGE, UNLESS OTHERWISE INSTRUCTED BY DEPARTMENT.

2. IN DEPARTMENT'S VIEW, MRS. MUDGE HAS NO REPEAT NO CLAIM TO DIPLOMATIC IMMUNITY. AS EMBASSY CLEARLY STATED, GOG HAS LIMITED OFFICIAL USE

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PAGE 02 STATE 048295

NOT AGREED WITH USG TO EXTEND DIPLOMATIC STATUS TO AID PERSONNEL AND THEIR DEPENDENTS. IN VIEW OF THIS FACT, DEPARTMENT CANNOT SUPPORT CLAIM TO DIPLOMATIC IMMUNITY IN THIS CASE.

3. DEPARTMENT AGREES THAT IT WOULD BE BAD PRECEDENT FOR AMERICAN SCHOOL TO BE SUBJECT TO GUYANESE LEGAL JURISDICTION. DEPARTMENT PREPARED TO SUPPORT MOVE TO EXEMPT AMERICAN SCHOOL FROM LEGAL ACTIONS ON THE GROUND THAT IT IS AN OFFICIAL AGENCY OR INSTRUMENTALITY OF THE UNITED STATES GOVERNMENT AND LIMITS ITS ACTIVITIES IN GUYANA TO INSTRUCTION OF DEPENDENTS OF OFFICIAL UNITED STATES PERSONNEL, OTHER U.S. CITIZENS, OR DEPENDENTS OF OFFICIAL PERSONNEL OF THIRD COUNTRIES. IN ORDER FOR DEPARTMENT TO DETERMINE HOW TO PROCEED IN THIS PARTICULAR ACTION, HOWEVER, WE MUST RECEIVE MORE SPECIFIC INFORMATION REGARDING CURRENT LEGAL REPRESENTATION OF AMERICAN SCHOOL PROVIDED BY LOCAL BARISTER J.T. CLARKE. IS CLARKE UNDER RETAINER BY SCHOOL OR EMBASSY? IF SO, HOW WAS THIS RELATIONSHIP ESTABLISHED?

4. ONCE DEPARTMENT HAS THIS ADDITIONAL INFORMATION, IT WILL BE ABLE TO GIVE MORE SPECIFIC GUIDANCE ON ACTION, IF ANY, TO BE TAKEN BY EMBASSY IN THIS MATTER. PLEASE ADVISE BY RETURN CABLE SO THAT DEPARTMENT CAN AUTHORIZE ANY SPECIFIC REPRESENTATIONS BY LEGAL COUNSEL ON BEHALF USG. (NOTE: NO REPRESENTATIONS CAN BE MADE WITHOUT PRIOR APPROVAL.) INGERSOLL

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NNN

\*\*\* Current Handling Restrictions \*\*\* n/a

\*\*\* Current Classification \*\*\* LIMITED OFFICIAL USE

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CLAIMS, COMPENSATION, LITIGATION, PERSONNEL, SCHOOLS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 27 FEB 1976  
**Decaption Date:** 01 JAN 1960  
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**Disposition Action:** RELEASED  
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**Disposition Authority:** cahillha  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
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**Disposition Reason:**  
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**Subject:** CIVIL SUIT AGAINST CHAIRMAN OF SCHOOL BOARD  
**TAGS:** ASCH, PDIP, GY, US, PDIP, (MUDGE, MARY)  
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